IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 347 OF 2005

IN

WRIT PETITION NO. 1535 OF 2004

HALDYN GLASS LTD. ... PETITIONERS

VS.

S.T.MURUGAN & ANR. ... RESPONDENTS

MR.S V.P.VAIDYA FOR THE APPLICANT/PETITIONER.

MR. R.D.BHATT FOR THE RESPONDENT NO.1

CORAM : S.K.SHAH, J.

DATE : September 29, 2005.

P.C.:

1. This Motion is taken out by the Petitioners for modifying the Order, dated 16.2.2005, directing the petitioners to pay the Wages as per Section 17-B of the Industrial Disputes Act and for directing the Respondent No.1 to report for work with immediate effect, without prejudice to the contentions raised in the Petition.

2. The learned Counsel for the Respondents submits that the payment under Section 17-B of the Industrial Disputes Act was directed to be made with effect from 7th June, 2004 but the same is not yet been made. He requests that the same should be

paid first and then the Respondent would join the Petitioners.

3. The learned Counsel for the Petitioners submits that he would make payment to Respondent No.1 within two weeks and the Respondent No.1 would report to the Petitioners for work within one week thereafter. The learned Counsel for the Respondent has no objection for the same. It is however, without prejudice to the contentions raised in the Petition.

4. With these modifications in the earlier Orders the notice of motion is made absolute in the above terms.

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[S.K.SHAH, J.]